

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
CAR CHARGING GROUP, INC.	:	
CAR CHARGING, INC., 350 HOLDINGS LLC	:	
and 350 GREEN, LLC,	:	
	:	No. 1:13-cv-08755-KPF
Plaintiff,	:	
	:	
v.	:	
	:	
MARIANA V. GERZANYCH and	:	
TIMOTHY L. MASON,	:	
	:	
Defendants.	:	
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**DEFENDANTS' NOTICE OF MOTION TO DISMISS  
PURSUANT TO RULE 12(B)(6)**

**DLA PIPER LLP (US)**

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*Admitted Pro Hac*

*Attorneys for Defendants*

April 3, 2015

PLEASE TAKE NOTICE that upon the annexed declaration of Mariana Gerzanych and the exhibits attached thereto, and the accompanying Memorandum of Law, Defendants Mariana V. Gerzanych and Timothy L. Mason will move this Court before the Honorable Katherine Polk Failla, United States District Judge, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure granting Mariana V. Gerzanych's and Timothy L. Mason's Motion to Dismiss Plaintiffs' Amended Complaint with prejudice.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
April 3, 2015

Respectfully submitted,

By: /s/ Cary Samowitz  
Cary Samowitz  
Frank Pepler

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